

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER****DRAFT
IMA ON FILE**

Your Committee is recommending the approval of an Act which would authorize the County of Westchester ("County"), acting by and through its Department of Public Safety ("Department"), to enter into an inter-municipal agreement ("IMA" or "Agreement") with the Town of Carmel, New York ("Carmel") in order to have its public safety employees utilize the County's Firing Range ("Firing Range") located at the County's Police Academy in Valhalla, New York, also known as Grasslands Reservation in the Town of Mount Pleasant, New York ("Police Academy") for firearms training. The IMA will be for a period of five (5) years, commencing on August 1, 2021 and expiring on July 31, 2026. Each party shall have the right to terminate the agreement on thirty (30) days' notice to the other.

In exchange for the use of the Firing Range, which will be staffed by a Department safety officer, Carmel will pay a flat fee of Three Thousand Ninety and 00/100 (\$3,090.00) Dollars per eight (8) hour tour, for a maximum number of thirty-six (36) officers in attendance. The Firing Range will be operated under the direction of the safety officer. Carmel will adhere to all instructions issued by the Department's safety officer. Carmel shall have the option of requesting the Department to provide a firearms instructor to assist with the training process of its employees. If Carmel requests a firearms instructor, Carmel shall pay an additional fee equal to \$108.18 per hour or \$865.44 per eight (8) hour tour. Any Carmel employee attending the Firing Range shall be responsible to bring his/her own weapons and ammunition.

In the event that police officers from Carmel provide instruction at the Police Academy, under separate agreement between the County and Carmel, the Commissioner of the Department, or his designee, may provide Carmel with a credit equal to one (1) eight - hour tour at the Firing Range for each seven (7) hours of instruction at the Police Academy.

The County has entered into a number of IMAs with municipalities throughout Westchester since 2008, which your Honorable Board last authorized on May 18, 2020 by Act No. 2020 - 91, as well as with Carmel, which your Honorable Board last authorized on May 16, 2016 by Act 131 - 2016, to use the Firing Range for firearms training. The program has proven successful, and it is recommended that the County continue to allow Carmel to take part in this valuable program.

The Department of Planning has advised that the actions under the IMA do not meet the definition of an "action" under the New York State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR, Part 617.2(b). Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Your Committee has been advised that passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee has carefully considered the proposed Act and recommends your Honorable Board's favorable action on the annexed Act.

Dated: 5/10, 2021.
White Plains, New York

K. J. Stowell
Benjamin Boylan II
Calvin B.

Benjamin Boylan II
Calvin B.

COMMITTEE ON

C:CMC/DPS/Carmel.04.13.2021

Public Safety

Budget & Appropriations

Dated: May 10, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Vedat Dalin
Margaret A. Cunzio
Nancy E. Pan
Wasson R. Maher
Catherine F. Parker
Beth Walter
Alfreda Willis
Christy
Ty H.

Public Safety

Margaret A. Cunzio
Mary Jane Skimsky
Nancy E. Pan
Christy
Ty H.

FISCAL IMPACT STATEMENT

SUBJECT: Carmel to Utilize Firing Range

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ _____

Total Current Year Revenue \$ _____

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: In exchange for use of the Firing Range, an instructor will be supplied to the

Academy or a flat rate of \$3,090.00 will be charged to the Town.

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: Town of Carmel's public safety employees will utilize County Firing Range.

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Siva Gopalkrishna

Title: Supervisor-Fiscal Operations

Department: Public Safety

Date: March 16, 2021

Reviewed By: 

Budget Director

Date: 4/16/21

TO: Carla Chaves, Assistant County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning



DATE: March 25, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR AGREEMENT WITH
TOWN OF CARMEL FOR USE OF COUNTY FIRING RANGE**

PROJECT/ACTION: An intermunicipal agreement with the Town of Carmel to allow its public safety employees to use the County's firing range, located at the Grasslands Reservation in the Town of Mount Pleasant, for firearms training. The County has been allowing local municipalities as well as the County of Putnam to utilize the County's facility following the completion of the construction of the indoor firing range in 2008. The current agreement with the Town of Carmel is due to expire. The proposed authorization will allow the Town of Carmel to continue to use the firing range for an additional 5 years.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)():**

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Siva Gopalkrishna, Supervisor-Fiscal Operations, Department of Public Safety
Claudia Maxwell, Associate Environmental Planner

ACT NO. 2021- 83

AN ACT authorizing the County of Westchester, acting by and through its Department of Public Safety, to enter into an inter-municipal agreement with the Town of Carmel in order to have its public safety employees from Carmel utilize the County's Firing Range located at the County's Police Academy in Valhalla, New York, for firearms training.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester ("County"), acting by its Department of Public Safety ("Department"), is authorized to enter into an inter-municipal agreement ("IMA") with the Town of Carmel, New York ("Carmel") in order to have its public safety employees utilize the County's Firing Range ("Firing Range") located at the County's Police Academy in Valhalla, New York, also known as Grasslands Reservation in the Town of Mount Pleasant, New York ("Police Academy"), for firearms training.

§2. In exchange for the use of the Firing Range, which will be staffed by a Department safety officer, Carmel will pay a flat fee of Three Thousand Ninety and 00/100 (\$3,090.00) Dollars per eight (8) hour tour, for a maximum number of thirty-six (36) officers in attendance. The Firing Range will be operated under the direction of the safety officer. Carmel will adhere to all instructions issued by the Department's safety officer. Carmel shall have the option of requesting the Department provide a firearms instructor to assist with the training process of its employees. If Carmel requests a firearms instructor, Carmel shall pay an additional fee equal to \$108.18 per hour or \$865.44 per eight (8) hour tour. Any Carmel employee attending the Firing Range shall be responsible to bring his/her own weapons and ammunition.

In the event that police officers from Carmel provide instruction at the Police Academy, under separate agreement between the County and Carmel, the Commissioner of the Department, or his designee, may provide Carmel with a credit equal to one (1) eight - hour tour at the Firing Range for each seven (7) hours of instruction at the Police Academy.

§3. The IMA will be for a period of five (5) years, commencing on August 1, 2021 and expiring on July 31, 2026. Each party shall have the right to terminate the agreement on thirty (30) days' notice to the other.

§4. The County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents and take all actions necessary and appropriate to accomplish the purposes hereof.

§5. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 83 - 2021, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on May 10, 2021, and approved by the County Executive on May 11, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 18th day of May, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

